

REMARKS

In further response to the Office Action dated August 9, 2010, and the Advisory Action dated December 22, 2010, Applicants respectfully request reconsideration and withdrawal of the rejections of the claims.

Claims 1-3, 8-11 and 16-20 stand rejected under 35 U.S.C. §103, on the basis of the Takahashi et al. patent (U.S. 6,424,429) in view of the Abdel-Mottaleb et al. patent (U.S. 5,915,038). Claims 4-12 and 21-26 were rejected on the basis of these two patents, in view of additional references.

As pointed out in Applicants' previous response, filed December 9, 2010, the independent claims of the present application recite, among other elements, a third key that constitutes an element of a user interface that is displayed to a user, and which a user can press to input an instruction to re-read data that has been transferred to a memory. For example, claim 1 recites a first key to accept a data transfer instruction to transfer the image data received by an input device to a memory-incorporating apparatus, a second key to accept a start instruction, and a display portion for displaying a third key to accept a re-read instruction. The claim goes on to recite that, when the first key and the second key are pressed, "the input device receives image data, the transfer portion transfers the image data received by the input device, and the printing device forms an image based on the image data received by the input device". Claim 1 also recites "when the third key is pressed, the reception portion receives the image data transferred by the transfer portion from the memory-incorporating apparatus..." (emphasis added). Thus, the function of the third key is tied to the functions performed by the first and second keys. Specifically, the first key causes image data received by the input device to be transferred to the

memory-incorporating apparatus. The second key causes an image to be formed from that same image data. The third key causes "the image data transferred by the transfer portion", i.e., the same image data associated with the operation of the first and second keys, to be re-read from the memory-incorporating apparatus.

In rejecting the claims, the Office Action relies upon the Abdel-Mottaleb et al. patent as teaching the claimed third key. In doing so, it refers to the index key described in that patent. However, as pointed out in Applicants' previous response, the index key described in the reference is not an element of a user interface that is displayed and is capable of being pressed by a user. Rather, it is a quantitative descriptor of an image, e.g. a numerical value, that enables the degree of similarity between two stored images to be determined. The key itself, as opposed to the image it represents, is neither displayed in the system of the Abdel-Mottaleb et al. patent, nor pressed by a user to input an instruction.

In rejecting the claims, the Office Action also refers to element 40 illustrated in Figure 10 of the Abdel-Mottaleb et al. patent. In the paragraph beginning at column 13, line 29, the patent describes this element by the phrase "Search by Image", and indicates that it is a user selectable item. As explained in the remainder of that paragraph, when the user selects this item, along with a topic and a query image, "the present invention searches extracted index keys from a media database 20 ... and displays results of that search in the work spaces for retrieval area 46." Thus, it can be seen that the user selectable element 40 is not an index key, per se. Rather, it is an input element via which the user initiates a search of the index keys that are stored in the database 20.

The Abdel-Mottaleb et al. patent does not disclose whether the user selectable element 40 constitutes a key that can be pressed by a user, or if it is selectable in some other manner, for example by clicking on it using a mouse and a cursor. In any event, whether or not the element 40 can be considered to be a key, it does not constitute a key of the type that is recited in the rejected claims.

In particular, there is no relationship between the user-selectable element 40 of the Abdel-Mottaleb et al. patent and the keys 23 of the Takahashi patent (cited in the Office Action). While the Takahashi patent pertains to a copying machine, the Abdel-Mottaleb et al. patent relates a stand-alone image retrieval system. Basically, in that image retrieval system, when the user identifies a particular image as the basis for a search, the system locates other images that are most similar to the image identified by the user. In contrast, the third key recited in the rejected claims operates to retrieve image data for the same image whose data was transferred to an image memory in response to actuation of the first key, and printed to form an image in response to actuation of the second key. In other words, the operation of the third key in the context of the claims relates to the same image data as the operations of the first and second keys. There is no such relationship between the user-selectable element 40 of the Abdel-Mottaleb et al. patent and the function keys on the copying machine of the Takahashi patent.

For at least these reasons, it is respectfully submitted that the Abdel-Mottaleb et al. patent does not overcome the differences between the Takahashi patent and the subject matter recited in the rejected claims. Reconsideration and withdrawal of the rejections is therefore respectfully requested.

New claim 27 recites that the display of the third key is "in response to the formation of the image". For example, as depicted in the flow chart of Figures 7 and 8 of the application, after an image is formed at step S91 in response to pressing of the "Start" key at step S85, the memory recall key (the third key) is displayed at step S94. It is respectfully submitted that the Abdel-Mottaleb patent does not disclose, not otherwise suggest, that the user-selectable element 40 is displayed in response to the formation of an image. For this additional reason, new claims 27 and 28 are likewise submitted to be allowable over any reasonable combination of the Takahashi and Abdel-Mottaleb patents.

Prior to filing the previous response on December 9, 2010, Applicants' undersigned representative attempted to contact the Examiner, to discuss the foregoing concepts. Since an interview with the Examiner could not be arranged prior to filing of the response, a Request for Applicant-Initiated Interview is being filed concurrently with this Amendment, to enable these concepts to be discussed in greater detail, in an effort to advance the examination of the application. Applicants' representative will contact the Examiner to arrange a specific date and time for such a discussion.

Respectfully submitted,

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Date: January 10, 2011

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